

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

MARINDA THOMAS PLAINTIFF

VERSUS CIVIL ACTION NO. 1:05CV707-LG-RHW

HENRY J. PREVOU, et al DEFENDANTS

ORDER COMPELLING DISCOVERY

Before the Court is Defendants' [52] Motion to Compel Plaintiff to produce materials relied upon by Plaintiff's expert Joel Goodman. Defendants listed several items that Goodman relied upon in preparing his expert opinion. Defendants argue that they are entitled to all of these materials. Plaintiff has agreed to provide all requested materials, except for the item contained in paragraph 8 of Defendants' request: "Photocopy of five page e-mail dated 8/25/05 at 11:15:56 a.m. Central Standard Time from Freddy Cleveland to George W. Healy, subject, Hancock Jail Summary." Plaintiff argues that this document is attorney-work product and therefore protected from disclosure. The Court finds that Defendants' motion should be granted. Defendants are entitled to all materials relied upon by the testifying expert, even those materials that normally would fall under the rubric of attorney work product. *See TV-3, Inc. v. Royal Ins. Co. of America*, 193 F.R.D. 490, 491-92 (S.D. Miss. 2000).

IT IS THEREFORE ORDERED AND ADJUDGED that the Defendants' [52] Motion to Compel is GRANTED; however Defendants' request for attorney's fees and other costs is DENIED.

SO ORDERED, this the 6th day of October, 2006.

s/ Robert H. Walker
UNITED STATES MAGISTRATE JUDGE